

Attorney Docket No.: 5739.200-US

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Weibel et al.

Confirmation No.: 7926

Application No.: 09/450,609

Group Art Unit: 1617

Filed: November 30, 1999

Examiner: Kim, Jennifer M.

For: New Pharmaceutical Composition and the Process for Its Preparation

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**FEB 03 2005**

**CERTIFICATE OF FACSIMILE TRANSMISSION**

**Fax No.: 703-872-9306**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

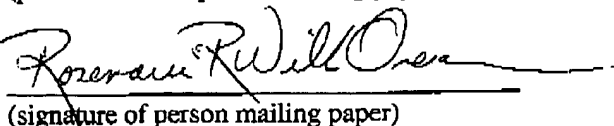
I hereby certify that the attached correspondence comprising:

1. Response (8 pages)
2. Petition for Extension of Time (three month, in duplicate)

is being deposited with the United States Patent and Trademark Office:

via facsimile number 703-872-9306 on February 3, 2005.

Rosemarie R. Wilk-Orescan, Esq.  
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Filed: November 30, 1999                      Examiner: Kim, Jennifer M.  
For: New Pharmaceutical Composition and the Process for Its Preparation

**RESPONSE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This amendment is submitted in response to the non-final Office Action on the merits mailed August 3, 2004, having a shortened statutory period for reply set to expire November 3, 2004, subject to extensions of time under the provisions of 37 CFR §1.136(a). A petition for a three (3) month extension of time to increase the period for reply from November 3, 2004, to February 3, 2005, is enclosed herewith to permit timely filing of this Amendment/Response.

The examiner states in the Office Action Summary that claims numbered 6, 7, 9, 12, 13, 16 and 28 are pending in the application; claims numbered 6, 7, 9, 12, 13, 16 and 28 are rejected; and claims numbered 29-31 are objected to.

Applicant respectfully submits claims numbered 6, 7, 9, 12, 13, 16 and 28-31 are pending in the application.

Pursuant to 37 C.F.R. §1.121, Applicant submits a complete listing of all of the claims ever presented for this pending application.